Prospective Glasse:

WHEREIN

ENGLANDS BONDAGE

Under the NORMANE yoke, with the Rise, growth, and continuation, is clearly asserted.

A Subject not yet treated upon, viz:

Shewing how the *Law* came to be in an unknown Tongue, and from whence the *Judges*, and other inferior Lawyers had their beginning: and in opposition to former Law, how the 4. Termes of the Yeer came to be kept.

As also, the corruption of this *Law*, bringing with it the Fines and Rents to the Lord of the Manner for all Freeholds and Copyhold Land.

BEING A

Collection from the most choise of Modern Historians.

WITH SOME

Brief Observations upon Scripture, as proving from thence, that this Law is contradictory to the Nature of Gods dealing with the sons of Men, and contrary to the Nature of Freedome.

By a Lover of *English-mens* Freedomes.

An evill Custome be it for continuance never so ancient, is nought: else then the oldnesse of Error. Plato.

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TO ALL THE COMMONERS OF *ENGLAND*.

IN all the dealings of God with the ſons of men, when judgement and righteouſnes is not executed between man and man, God then brings one puniſhment or other upon the Land, that makes inquiſition for blood that hath been ſpilt, wrongs that hath been done, wickedneſſe that hath been acted by unrighteous men.

But yet the end of Gods dealing thus with his creatures is love, as in *Jer.* 30. 17, 18. a reſtoring of health, an healing of wounds: though *Ephraim* is ſmitten, yet *Ephraim* is loved, he is a dear ſon, a tender childe, there is health in the latter end.

Whoſoever looks upon theſe times outwardly, may ſee a poore diſtreſſed Kingdom, groaning under the heavie burdens, that lye upon it: and whoſoever looks beyond the outward ſtate of the Kingdome, may ſee love, peace, and joy, ſpread into the hearts of creatures, diſcovered in ſeverall (yet) glorious adminiſtrations.

The occaſion of bondages, troubles, that hath been, and yet is, in this Nation, makes the members of this Nation to enquire for Freedome, to ſearch and ſift out the root, and foundations of bondages, of all ſorts, ſome after this manner, ſome after that, as hath been evidently ſeen, in the Petitions of many well affected people of *England*, which have been preſented to the Parliament at ſundrie times.

Among the reſt, I my ſelf deſired to know the foundation of ſome bondages, that have inſlaved the Nation for almoſt this ſix hundred yeers; and by Providence I found ſome recorded in Records, which I now commend to the conſideration of all honeſt hearted people, leſt any ſhould ſay, I ſpeak againſt the perſons of men: I deſire them to underſtand, that I ſpeak againſt the practiſe of men which is deſtructive to the wel being of the Nation, be they Nation or perſon whatſoever, it matters not to me, for honeſty in a Turk, or Jew, Heathen, or Pagan, is as good, as honeſty in thoſe that are called Chriſtians: I could wiſh, that the nature of Chriſtianity was more looked upon, and the name of Chriſtianity leſſe looked upon; for it is the cunning ſleight of the Man of ſin to make people think themſelves happy, as having the name of Chriſtians, without looking any further unto the nature of Chriſtianitie: I am not ignorant how people have been looked upon as bearing the name of *Sectaries*, or *Independants*, and ſo for *Presbyterians*, or *Epiſcopall*, the envy of the name in one anothers hearts, hath bred abundance of heart-burnings one toward another; My advice therefore is to all, to let names fall, let honeſty and godlineſſe be imbraced in any man; and let oppreſſion, Arbitrary power, and cruelty be looked upon in any, as deſtructive to the well being of the Nation: if we do ſo, we ſhall look upon things as being acted in the center of them, and ſo eſteemed. I leave this following Diſcourſe, to all men to be looked upon by the eye of equity, and remain,

A lover of Freedome.

Not the reſpecting of perſons whoſoever, but in love to my Countrey, for *Liberty*, and *Freedome*; and a hating of *Tyranny*, *Arbitrary Power*, and *Cruelty*: I begin this enſuing Diſcourſe.

IN the making of way to this enſuing Diſcourſe, it is requiſite to ſhew, for ſatisfaction to them that ſhall read this Diſcourſe, the party, by whom the bondages of this Land came in, not in any way of diſgrace to his perſon, but rather to diſcover the acts that he did, which roſe from his oppreſſing minde and will. And firſt of the Perſon.

In the lives of the three Norman Kings of *England*, in pag. 1. there is a relation of *William* the Conquerers birth, which is expreſſed in theſe words.

Robert Duke of Normandy, the ſixth in diſcent from *Rollo*, riding through *Fallis* a Town in *Normandy*, eſpied certain Damſels dancing near the way, among whom he fixed his eye upon a certain Damſell, whoſe name was *Arlote*, of mean parentage, a Skiners daughter, whom he procured that night to be brought unto him, of whom he begat a Son, who afterward was named *William*: By this relation it appears, that *Will:* the Conquerer was baſe ſon of *Robert* Duke of Normandy, as may more fully appear, in the Summary of Engliſh Chronicles, in pag. 37. *William* Duke of Normandy, ſurnamed *Conquerer*, baſe Son of *Robert* the ſixth, Duke of that Dutchie. But leſt any ſhould think, that I make this diſcoverie on purpoſe to diſgrace the *Conquerer*, I ſay I do not, for I ſay no more then what Chronicles do teſtifie of him.

Secondly, a baſtard ſometime hath been an Inſtrument of deliverance to the people of God, as *Jephthah*, *Judg* 11. 29. *The Spirit of the Lord came upon Jephthah*, ver. 32. the Lord delivered his Enemies into his hand: ſo that God made uſe of *Jephthah* to work deliverance.

Thirdly,

Thirdly, a bastard is not to be blamed, as being a bastard, for it is the parents, not the childe that must be blamed, or shamed. I shall say no more, touching *William* the Conquerers birth, and reasons, why I do think that *Williams* person is not to be despised of any, as being a base son to *Robert* Duke of Normandy: but proceed further to shew by what means he came to be crowned King of *England*: In the Summary of English Chronicles, in pag. 37. declares unto us, that *William* the Conquerer came to be crowned King of *England*, by Conquest in these words.

William Duke of Normandy, surnamed *Conquerer*, base Son to *Robert*, the sixth, Duke of that Dutchie, and Nephew unto King *Edward*, began his Reign over this Realm of *England*, the 14th of October, in the yeer of our Lord, 1066. after the battell at Hastings, Duke *William* came to *London*, where with great joy he was received, both of the Clergy and people; and was proclaimed King, and crowned on Christmas day, by *Aldred* Archbishop of York.

It must be agreed on by all parties, that God gives the Kingdoms of the Earth to whomsoever he will: *Dan.* 4.32.35. So God gave all Kingdoms of the Earth unto *Nebuchadnezzar*; but if *Nebuchadnezzar* tyrannise over the people, then great Kings should serve themselves of him: *Jer:* 25.13,14. And so though *Assiria* did reign, yet it must be brought lowe: Even so though God did give this land into the hand of *William* the Conquerer, yet he setting up such Laws as tend to the destruction of the poore, it is just with God to take the Government out of the hands of his posterity, who uphold, and maintain those Laws that were made to inslave the Commoners of *England*.

Before I come to declare the bondages of this Nation, that was brought upon them by *William* the Conquerer, I shall speak of some remarkable things of *Edward* the Confessor, King of *England* before the Conquest; as I find recorded in the Acts and Monuments of the Church, in pag. 165.

They that write the History of St. *Edward* the Confessor, make mention of a dream, (or revelation) that should be shewed unto him in the time of his sicknes: How that becaus the Peers and Bishops of the Land were not the servants of God, but of the

the devill, God would give this Land into the hand of others; and the King desired that utterance might be given him, that he might declare it to the people, whereby they might repent: here note if true, as for my part I cannot gainsay it, see the mercy of God toward this Land, as to forewarn them of the danger that should come upon them; which not long after this Kings death did come to passe, when *William* the Conquerer overcame this Land.

This *Edward* in that dark age, made such good and wholsome Laws, which were so just, so equall, and so serving the publick profit, and weal of all estates, that mine Authors say, that people did long rebell against their Heads, (and Rulers) to have the same Laws again, being taken from them, could not obtain them.

William the Conquerer, at his coming in, did swear to use and practise the same good Laws of *Edward*, for the Common Laws of the Realm; afterward being established in the Kingdome, he forswore himself, and placed his own Laws in their room, much more worse and obscurer. Also this King *Edward* describeth the office of a King, in the Acts and Monuments of the Church, in pa. 166. The King, because he is the Vicar of the highest King, is appointed for this purpose, to rule the Earthly Kingdom, to set up good and wholsome Laws, such as be approved; such as be otherwise he ought to repeal them, and thrust them out of his Realm; he ought to do justice and judgement in his Kingdom.

Three servants a King ought to have under him as vassals, fleshly lusts, avarice, greedie desires; whom if he keep under him, as servants, he shall reign well and honorably in his kingdome; But *William* the Conquerer, omitted these Laws, contrary to his Oath at his Coronation, inserting and placing the most part of his Laws in his own language to serve his purpose; and which as yet to this present day, in the same Normane language do remain. See here by this Declaration the difference of the two Kings, *Edward* making good Laws, and *William* changing of them, contrary to his oath at his Coronation, making Laws at his own pleasure, destructive to the peoples good and freedome.

King

King *Edward*, ſurnamed *Confeſſor*, for his excellent holineſſe, is untill this day, called, *St. Edward*; who ſo ſoon as he had gotten his Fathers Kingdom, of his free-will, releaſed the Kingdom of 40. thouſand pound, called, Dane gilt, which the Engliſh people, even from the very beginning of the reign of the *Danes* was compelled to pay to their Kings every yeer; and this did King *Edward* in a yeer when the earth yeelded not her fruit, the tribute being gathered by the Treaſurers, he commanded that the money ſhould be reſtored to the owners again. Here we may ſee, the love that this King had to the Subjects, freely forgiving them the tribute that they had payed to other Kings before him: and this God, ſaith he, hath choſen, in *Iſa.* 58. 6. to looſe the bands of wickedneſſe, to undo the heavy burthens, to let the oppreſſed go free: this kingly act of *Edward the Confeſſor*, may ſerve for an example for all Governors to follow.

William the Conquerer did contrary to King *Edward*, for he ſought how to inſlave the people of *England*, by making inquirie what riches the people had, and then to tax them accordingly, as is declared in the Summary of Engliſh Chronicles, in pag. the 41. King *William* cauſed enquirie to be made, how many acres of ground were ſufficient for one plough by the yeer, how many beaſts to the tilling of one hide, how many Cities, Caſtles, Farms, Graunges, Towns, Rivers, Marſhes, and woods, what rent they payed by yeer, and how many Knights (or Souldiers) were in every County of the Realm; all which was put in writing, and remaineth at *Weſtminſter*, in the Kings treaſurie; afterward he took ſix ſhillings of every plough, that is, of every hide of Land throughout the Realm; and to this agrees the report, in the Hiſtory of the Lives of the 3. Norman Kings of *England*, in pag. 98. *William* the Conquerer, cauſed the Land to be deſcribed, in one generall Roll, ſo that there was not one hide of Land, but both the yeerly rent, and the owner thereof was therein ſet down, how many plough lands, what paſtures, what fennes, or marſhes, what woods, Parks, Farms, and tenements was in every Sheere, and what every man was worth; alſo how many Villens every man had, what beaſt or cattell, what fees, what other goods, what rent or commoditie, every mans poſſeſſions did yeeld: this book was called the Roll of *Winton*,

Winton, becauſe it was kept in the City of *Wincheſter*; by the Engliſh, it was called *Doomes-day book*, either by reaſon of the generalitie thereof, or elſe inſtead of *Domus Dei* book, for that it was layed in the Church of *Wincheſter*, in a place called, *Domus Dei*; according to this Roll, Taxations were impoſed, ſometimes two ſhillings, ſometimes ſix ſhillings upon every hide of Land, throughout the Realm; an hide containing twenty acres, beſides ordinary proviſion for his houſe.

One of the puniſhments that was threatned againſt the children of Iſrael, was to be given into the hands of thoſe their enemies whoſe Tongue they could not underſtand. *Deut.* 28. 49, 50, 51, 52. who ſhould take the increaſe of the Land: And ſurely ſo did *William* the Conquerer ſqueeſe the fat of this Land unto himſe'f, from the Commoners of *England*, as appears by this declaration of him.

In the Acts and Monuments of the Church, in pag. 173. it is reported of *William* the Conquerer, that foraſmuch as he obtained the Kingdom by force and dent of Sword, he changed the whole ſtate of the governance of this Common-wealth; and to this agrees the Hiſtory of the Lives of the three *Normane* Kings of *England*, in pag. 91. Many heavy taxations were impoſed on the Engliſh, their ancient Lords were removed, their ancient Laws and Pollicies of State were daſhed to duſt, all lay couched under the Conquerers Sword to be newly faſhioned by him, as ſhould be beſt fitting for his advantage. And in the 86. page of the ſame Hiſtory, the ſtouteſt of the Nobility and Gentlemen were ſpent either by war or baniſhment, or by voluntary avoidance out of the Realm, all theſe he ſtript of their eſtates, and inſtead of them he placed his *Normanes*, inſomuch as ſcarce any family of the Nobilitie of *England* was left to bear any office, or any authoritie, within the Realm. And ſo likewiſe in the Acts of the Church, in pa. 173. he gave the *Normanes* the chiefeſt poſſeſſions of the Land; he changed all the Temporall Laws of the Realm. And ſo in the Summary of Engliſh Chronicles, in p. 41. the *Normanes* accompliſhed their pleaſure upon the *Engliſh-men*, that there was no Nobleman of that Nation left to bear rule over them, ſo that it was a reproach to be called an *Engliſh-man*.

In the Acts and Monuments of the Church, in pag. 173. that

William the Conquerer ordained Laws at his own pleaſure, profitable to himſelf, but grievous and hurtfull to the people; aboliſhing the Laws of King *Edward* the Confeſſor, whereunto notwithſtanding he was ſworn before to obſerve and maintain. And ſo in the Acts of the Church, in pag. 44. he changed all the Temporall Laws of the Realm. And ſo likewiſe again in the Acts and Monuments of the Church, in pag. 166. contrary to his Oath at his Coronation, he aboliſhed the Laws of *Edward* the Confeſſor, and placed the moſt part of his own Laws in his own language to ſerve his purpoſe, which as yet to this preſent day in the ſame *Normane* language do remain.

Further, to make the thing in hand clearer, I ſhall ſpeak as it is declared in the Lives of the three *Normane* Kings of *England*, in pa. 101. *William* the Conquerer cauſed part of thoſe Laws which he eſtabliſhed, to be written in the *Normane* language, which was a barbarous and broken *French*, not well underſtood of the naturall *French*, and not at all of the vulgar *Engliſh*, the reſidue were not written at all, but left almoſt arbitrary, to be determined by reaſon and diſcretion at large. Hereupon it followed partly through the ignorance of the people, and partly through malice of ſome Officers of Juſtice, who many times are inſtruments of ſecret and particular ends, that many were extreamly tangled, many dangered, many rather made away, then juſtly executed. And in the 96. pag. of the ſame Hiſtory of the Lives of the three *Normane* Kings of *England*, *William* the Conquerer, in the beginning of his Reign, ordained that the Laws of King *Edward* ſhould be obſerved, together with other Laws that he did preſcribe; but afterward he commanded that nine men out of every County ſhould be choſen, to make a true report what were the Laws and Cuſtomes of the Realm, of theſe he changed the greateſt part, and brought in the cuſtomes of *Normandy* in their ſtead, commanding that Cauſes ſhould be pleaded, and all matters of form diſpatcht in *French*. And in the Summary of *Engliſh* Chronicles, in pa. 41. there ſprang up wicked Cuſtomes, the more the people ſpake of equity, the more wrong was done; the Juſticers were authors of all unrighteouſneſſe.

In theſe words theſe things offer themſelves to conſideration. Firſt,

Firſt, that the end of *William* the Conquerers Laws was for his own profit; and that appears by the way that he took, in making of his Laws in his own language, which was a barbarous and broken *French*, not well underſtood of the naturall *French*, and not at all of the vulgar *Engliſh*; ſo that the people of *England* was under a Law that they underſtood not, which muſt of neceſſitie be a ſore and heavie yoke for the people to bear: from this *Will:* the Conquerer, aroſe the Law in an unknown tongue, which to this day is a bondage to the Engliſh Nation.

For a Nation to be under a Law that they know not, is to be under a curſe: ſo in *Deut.* 28. 49, 50, 51. *The Lord ſhall bring a Nation againſt thee as ſwift as the Eagle flyeth, a Nation whoſe tongue thou ſhalt not underſtand: A Nation of a fierce countenance, which ſhall not regard the perſon of the old, nor ſhew favour to the young. He ſhall eat the fruit of thy cattell, the fruit of thy land, untill thou be deſtroyed:* All theſe things have come upon this Land by the *Normanes* in theſe words. In the Acts of the Church, he gave the *Normanes* the chiefeſt poſſeſſions of the Land, he changed all the Temporall Laws of the Realm.

Secondly, the Laws of *William* the Conquerer, were, and are bondages to the *Engliſh* Nation; when as by policie he commanded that nine men out of every County ſhould be choſen, to make a true report what were the Laws and cuſtomes of the Realm before the Conqueſt, and then to change the greateſt part, and bring in the cuſtomes of *Normandy* in their ſtead, commanding that Cauſes ſhould be pleaded, and all matters of form diſpatcht in *French*.

By this it is apparent, from whom the pleading of Cauſes by Lawyers came up; and ſurely if the thing be well conſidered, it is a grievous burden to the Commoners of *England*, that muſt give away their money to the Lawyers to plead their Cauſes: by this the poore Commoner of *England* payes dear for coming by that which is his own, when he hath occaſion to deal with the Lawyer.

By this pleading of Cauſes by Lawyers, the poore Commoner buyes his Law at a very high and exceſſive rate; A poore man may work a quarter or half a yeer, to get as much money as the tryall of one Suit at Law will coſt, and when the Lawyer

hath pleaded and gotten the money, the thing at last must be ended by arbitration.

I find in the way two main things to be answered. The first is this: From what principall the Lawyers and Councellors as they now stand, did rise.

To this I answer. From an arbitrary power, profitable to themselves, but grievous and hurtfull to the people; And if the originall of their standing be looked into, it will so appear. For the Conquerer making such Laws, as that the Commoners of *England* could not have the benefit of the Law, but through the *Normane* Lawyers making merchandize of the Law to the people, and so great gains came in to the Lawyer, through this subtilty, and knowing well that by that craft they had their living, made Laws that none should be a Lawyer, but he that took his degrees at the Univerfitie, or Inns of Court: so that it came to a custome, (and yet is) that parents set their children to School to study Law, that thereby they might be rich; and having learned the Art to use the silver hook they became great: the parents nor the childe consider not at all the tyranny of the rice of that custome.

And thus as a childe is bound to a master to learn his trade, and to be a Free man of that place in which he hath served the time of his Indenture; so the Lawyers through the unjustnesse of their custome, served a time to come to be a Lawyer, whose first rice was from the will of a Tyrant.

The originall of a servant serving a time to a master is to learn a trade, that so he may make the benefit of his ware: even so the rice of a man being a Lawyer, is that he may sell the Law to his chapmen (otherwise called Clyants) so that the Law is bought and sold by the Lawyer and the Clyant.

Surely if this were looked into with an eye of reason, it would appear to be as unjust, (namely, the practise of Lawyers to ingroce the Law into their own hands to make merchandize of it) as the monopolizing Pattentees.

The second *quære* that may be made, is how the Lawyers appear to be bondages to the Commoners of *England*.

I answer in this, that if any one seek for the benefit of the Law, he must fee his Lawyer, or else he must loose his right: So

that

that as in the time of Christ, the Jews could not have the benefit of their Law but by the *Romane* governors, and that appears about the tryall and condemning of Christ, they must lead him away to *Pilate* that he might condemne him, for they could not of themselves without *Pilate*: Even so the Commoners of *England* cannot have the benefit of the Law, but by seeing the *Normane* custome-upholders.

Another *quære* may be made. But how should any man come by that which is his own, but by the Lawyers?

To this I answer. That it is the Law, not the Lawyers, that gives any man his right; and if there were no Lawyers, yet persons might come by their own by Law. For I reason thus. That the Lawyers themselves ought to plead according to Law, and then if it be so, it must be considered, that the ground of the Lawyers plea ought not to be from themselves, but from the Law, and so consequently it must follow, that the Lawyers themselves are in no other place but to get away money from the Clyant; who might, if things were equally carried, come by his right without them.

In the History of the Lives of the three *Normane* Kings of *England*, in pa. 98. saith thus: That *William* the Conquerer ordained also his Councell of State, his Chancery, his Exchequer, his Courts of Justice, which alway removed with his Court: these places he furnished with Officers, and assigned foure Termes in the yeer, for the determining of controversies among the people; whereas before all Suits were summarily heard and determined in the gemote or monthly Convention, in every hundred without formalities or delay.

It it be looked upon in the Courts of Chancery and Exchequer, the Officers that are in those Courts are such as stand by the *Normane* customes; and that appears in their customes of pleading Causes for money, making merchandize of the Law, and so consequently of other Courts of Law; the benefit of making merchandize of the Law is onely in the hands of Judges, Councellers, and Lawyers And further, that the Commoners of *England* may be kept in ignorance from knowing the Law, that they may live under, and are judged by, all Writs are issued forth in Latin, and Causes pleaded in Latin.

The

The ſecond thing that preſents it ſelf unto conſideration, is the foure Termes in the yeer, to end controverſies among the people; and the cuſtome of this is a great bondage to the Commoner when he hath occaſion to go for Law: and the bondage conſiſts in three things.

Firſt, the coming from all parts of the Kingdom to *Weſtminſter* foure times a yeer, whereby the poore Commoner is put to great charges and pains, to get all things ready for his journey, and many times are conſtrained to borrow money to bear their charges, the journey being long, and chargeable; and for the experience of them that have had to come upon ſuch deſignes to *Weſtminſter* from all parts of the Kingdom, teſtifie by the filling of their purſes at home, and their emptying of them by the way, and at *London* and *Weſtminſter*.

Secondly, this is not all: the laying out, and ſpending of their money in the long journeys from all parts of the Kingdom to *Weſtminſter*; but when they come thither, there are Lawyers and Councellors to fee, which is many times as much and more twice told, then the clyants expences in his journey. Thus hath the *Normane* cuſtomes brought heavie burdens upon us, and upon our fore-fathers in this thing: ſo that well may that ſpeech of Chriſt which he ſpake to the Lawyers in his time, be juſtly applyed to the Lawyers in our time: *Wo unto you alſo ye Lawyers, for ye lade men with burdens grievous to be born.*

Thirdly, this is a bondage again in this ſence, by hindering the old cuſtome before the Conqueſt, (which was) to have every mans Cauſe tryed in the Hundred where he lived, without coming to *Weſtminſter* at all, and ſo had juſtice in the Hundred once every moneth.

From the things that have been ſpoken, theſe things do offer themſelves to our conſideration.

Firſt, that for perſons ſo judged by Laws in an unknown tongue, is an arbitrary power contrary to true reaſon, and honeſt plain dealing.

Secondly, for Lawyers to have money for pleading of cauſes, is to make merchandize of the Law to the people.

Thirdly, for the ſtanding and cuſtome of Lawyers, as now they are, is a repreſentative of ſlavery and bondage.

Fourth-

Fourthly, for pleading of Cauſes in an unknown tongue, is to take away the key of knowledge: *Luk.*11.52. from the people of their liberties, birth-rights, and Laws; and to keep them in blindneſſe and ignorance.

Fiftly, for coming to *Weſtminſter* from all parts of the Kingdom, is a ſpending of the Commoners money, looſing of his time, and neglect of juſtice done to the Commoner, as was in that ſhort time once every moneth in every Hundred before the Conqueſt.

According unto that equall rule, *As ye would that men ſhould do unto you, ſo do you unto them: for this is the Law and the Prophets*; is the practiſe of all Arbitrary power whatſoever condemned. And ſurely if ever there was an arbitrary power in any thing, it was, and is in this, to make Laws in an unknown tongue to govern and rule a people.

The unjuſtneſſe of this cuſtome may more fully appear, if we look into the manner of Gods giving of his Laws, unto the ſons and daughters of men; if it be looked into in what manner God gave the Law unto the children of Iſrael, it will appear to be given in that tongue they could underſtand. *Deut.*30.11,12,13. *This Law which I command thee this day, is not hid from thine eyes, neither is it far off. It is not in heaven, that thou ſhouldſt ſay, Who ſhall go up for us into heaven, and bring it unto us, and cauſe us to hear it, that we may do it? Neither is it beyond the Sea, that thou ſhouldſt ſay, Who ſhall go over the Sea for us, and bring it unto us, and cauſe us to hear it, that we may do it? But the word is very neer thee, even in thy mouth, and in thy heart, to do it.*

God deals thus with creatures in his giving of laws unto them ſo plainly in that tongue, and manner of way that is known unto them, that they cannot ſay, We have not heard it, nor known it; but it is very neer them, in their mouthes and hearts to do it; ſo that they are left without excuſe. *Rom.*1.20.

Gods wayes are equall wayes; and therefore he ſo gave the Law unto the children of Iſrael, that they were not to know it onely themſelves, which heard the Law delivered by the hand of *Moſes*, but they were to teach it unto their children, and to talk of them when they tarried at home, when they walked by the way, when they roſe up, when they lay down, and to put them

them as frontlets between their eyes, and to write them upon the poſts of their doores, and upon their gates, being publickly to be known, and declared unto all the Nation.

Alſo this manner of making Laws, or giving Commandments to people in a known tongue, was practiſed even by Heathen: This appears in *Eſther* 8. 9. *Then were the Kings ſcribes called at that time in the third moneth (that is, the moneth Sivan) on the three and twentieth day thereof, and it was written unto the Jews, and to the lieutenants, and the deputies and rulers of the Provinces which are from India unto Ethiopia, an hundred twenty and ſeven Provinces, unto every Province according to the writing thereof, and to every people after their language, and to the Jews according to their writing, and according to their language.* So much equity was among the Heathen, that in this thing they are our examples for us to follow their way, to make laws according to the language of the people that are to be guided by them.

It is a ſigne and token of a diſobedient ſervant, that goeth about to do things contrary to the way and minde of his Maſter: even ſo is it a ſigne and token of the Governors of this Nation, that made laws in an unknown tongue, that the people of this land underſtand not; to be diſobedient ſtewards unto God. They are againſt the nature of God, and againſt the actings of God; againſt his wayes by which he doth manifeſt himſelf unto the ſons and daughters of men in theſe things.

Firſt, *God is light, and in him there is no darkneſſe at all.* 1 Joh. 1. 5. And whatſoever the dealings of God toward the creatures are, they are light, and make known to the creature the will of God, and how to know him.

This is clear throughout all the Scripture, from *Geneſis* to the *Revelation*. *David* ſaith, *Pſal.* 119. 105. *Thy word is a lamp unto my feet, and a light unto my paths:* that is, the Law, the Commandments of God was his rule that guided his ſteps. But when the Law that ſhould guide the Nation is in an unknown tongue, it is neither lamp nor light for the peoples paths.

This may fully appear, that the wayes of God are light to enlighten the people. God ſent his Son, whom he ſaith is light: in *Iſa.* 49. 6. *A light to lighten the Gentiles:* Luk. 1. 79. *Light to them that ſit in darkneſſe:* Joh. 9. 5. *The light of the world.* Luk. 1. 77. *To give know-*

ledge

ledge of ſalvation unto people for the remiſſion of ſins: That which makes Princes, Rulers and People to be like God, are works of light; of which, one is to make a known Law, in a known language, that the people might underſtand the Law.

It is one of the works of the devill, to blinde the eyes of the underſtanding. 2 *Cor.* 4. 4. and then conſider what, and whoſe work it was to put it into the heart of *William* the Conquerer to make Laws in an unknown tongue; and who it is that ſits in the hearts of the Judges, Lawyers and Councellors of this kingdome, who ſtill hold up the cuſtome of trying the Cauſes of the people in an unknown tongue: I ſuppoſe it muſt be concluded it is the devill, by theſe Reaſons.

Firſt, becauſe the works of the devill are works of darkneſſe, and not light; the end ſhews the event. Now the work to make Laws in an unknown tongue for this Nation to be guided by, is a work of darkneſſe, for the effect of it proves darkneſſe, and ſo brings darkneſſe, and keeps the people in darkneſſe, and ſo conſequently is of the devill. *Do men gather grapes of thorns, and figs of thiſtles? by their fruits ye ſhall know them.* Matth. 7. 16.

Secondly, the works of the devil are deſtroying works; therfore he is ſaid to be *as a roaring Lion, ſeeking whom he may devour:* 1 Pet. 5. 8. And as the devil is ſaid to be as a roaring Lion, ſo likewiſe are tyranous Princes compared to Lions. *Prov.* 28. 15. *As a roaring Lion, and a ranging Bear; ſo is a wicked Ruler over the poore people.* So that both devill and cruell Princes are compared both to one thing: then it will follow, that thoſe Laws that are cruell, and hard yokes for the people to bear, are the works of the devill in all ſuch rulers.

Now if this thing be examined, namely, the Law in an unknown tongue, I am bold to ſay, that it will be found to be one of the greateſt deſtructives to the well-being and freedome of the people, as ever was heard of in any Nation. For,

Firſt, thoſe people that are free Commoners of *England* have been by that blinded, and their eyes cloſed, that they have not ſeen their priviledge in their free birth-rights.

Secondly, they have been conſtrained to come from all parts of the Kingdom to *Weſtminſter*, and there commit the pleading and cenſure of their Cauſes to ſuch men as made merchandiſe

of the Law, and their Cauſes as they pleaſed.

Thirdly, they have been kept, it may be, ſome 2, 3, 4, or 5. yeers in Law, whereby the *Normane* cuſtome-upholders have greatly inriched themſelves, by removing the Suit out of one Court into another, that many times it fals out that the Lawyer is enriched, but the Clyant undone. Experience proves this to be a truth.

Again, if this thing be well conſidered, namely, the Law in an unknown tongue, it is right oppoſite to the way of God.

Firſt, in the giving of his Son to be ſalvation to the ends of the earth, *Iſa.* 49. To open the blinde eyes, this was Chriſts work; but the Law in an unknown tongue doth not open the blinde eyes, but thoſe that are blinde it keeps ſtill in blindneſſe: ſo in this it is oppoſite to Chriſts work.

Secondly, Chriſt was ſent to proclaim liberty to the captives, *Iſa.* 61. 1. But the Law in an unknown tongue proclaims no liberty, no glad tydings, no freedome to the oppreſſed; but declares curſe, bondage, and wo. *Deut.* 28. 49, 50, 51, 52. *Jer.* 5. 15, 16, 17.

One of the priviledges that God promiſes to his people, *Iſa.* 33. 19. is, *Thou ſhalt not ſee a fierce people, a people of a deeper ſpeech then thou canſt perceive; of a ridiculous or ſtammering tongue, that thou canſt not underſtand.* So that it is liberty and freedom to be under a Law that the people can underſtand. Nothing makes the government of *England* to be like the Church of *Rome* ſo much as this, to leade and govern people in an unknown tongue. For as the Papiſts keep the people in ignorance concerning their ſpirituall eſtate, by an unknown tongue: even ſo the Judges, Lawyers, and Councellers keep the people of *England* in ignorance in their civill or temporall eſtate, by an unknown tongue.

Further, the Law in an unknown tongue is both againſt the way and end that God gave the Law unto the children of Iſrael, if we conſider the way it was in that tongue they underſtood, *Deut* 30. To that it is oppoſite, and it is oppoſite alſo to the end, which was, firſt, that it ſhould be in all their mouthes & hearts, that they might continually talk of them. 2ly, that they might teach their children. 3ly, that it might be written upon the poſts of their houſes, and upon their gates.

Firſt,

Firſt, it is oppoſite that the Law ſhould be in all the peoples mouthes; for it is that it ſhould be in ſome of the peoples mouthes, namely, Judges, Councellors, Lawyers, they onely are to know the Law, and no other by this cuſtome.

Secondly, the Law was given to this end, that the children might know it, but the Law in the unknown tongue to the contrary. For whereas the children of Iſrael was to teach the Law unto their children; by this Law in an unknown tongue the parents of the Engliſh children, are conſtrained to ask counſell of the Lawyers: and ſo in this it is directly oppoſite.

Thirdly, the Law was to write upon poſts, and gates, that therby the people might know the Law generally, being known ſo openly. But the Law in an unknown tongue, cauſeth the Law to be kept and ſhewed onely at *Weſtminſter*, the Inns of Court, and Univerſities, and Judges, Councellors, and Lawyers Chambers. Thus far to ſhew the tyranny of the Law in an unknown tongue over the people of *England*.

The ſecond thing that preſents it ſelf to our conſideration, is recorded in the Hiſtory of the Lives of the three *Normane* Kings of *England*, in pag. 99. that in all thoſe lands that *William* the Conquerer gave to any man, he reſerved dominion in chief to himſelf; for acknowledgement whereof a yeerly rent was payed unto him, and alſo a Fine whenſoever the tenement did alien or dye; theſe were bound as clyants unto him by oath of fidelitie and homage: and if any dyed his heir being in minoritie, the King received the profits of the land, and had the cuſtodie and diſpoſing of the heirs body untill his age of 21. yeers.

Theſe words declare unto us two great bondages that have been in *England*; the one is thrown down by this Honourable Court of Parliament, called, *The Court of Wards*; the other bondage remaineth ſtill untaken away: Of that I intend ſomewhat to ſpeak.

The bondage being looked upon with a ſingle eye, will appear to be great two wayes. Firſt, in the greatnes of it in extent. Secondly, in the heavineſſe of it upon the poore man.

Firſt, for the greatneſſe of the extent of it, and that is over every one dwelling in a Town; except the Lords of the Mannor who is the yoke-maſter, and not a ſufferer under the yoke.

The heavineſſe of it appears in theſe two things. Firſt, when a man hath bought a piece of Copyhold-land ſo called, when he hath payed for his Copyhold-land of the owner thereof, yet notwithſtanding muſt pay a Fine to the Lord of the Mannor, or elſe he cannot enjoy it. This is a moſt grievous oppreſſion upon the people.

Secondly, when the party either leaveth his Living, then another Fine is to be payed; and alſo when the party dyeth, then a Harriot, ſo called, is to be payed again.

Thoſe who are Countreymen, and deal in Farmes and Land, I ſuppoſe can teſtifie this by wofull experience; and therefore I leave this to their conſideration: onely I ſhall ſhew how the Lord complaineth of ſuch things in Scripture.

This oppreſſion doth reach the poore widows that hath loſt their husbands, and is left poore, comfortleſſe and needie, their ſtay, their upholder is dead, and yet notwithſtanding muſt looſe the beſt goods they have for an Harriot to the Lord of the Mannor. This or ſuch like kinde of oppreſſion *Job* ſpake of, *Job* 24.9. they *take a pledge of the poore.* And *Iſa.* 10.2. *turn aſide the needie from judgement, and take away the right of the poore of my people, that widows may be their prey, and that they may rob the fatherleſſe.* What greater wrong can be done to any, then to take their goods, that which is properly the parties own?

Among the children of Iſrael was found ſuch like grievous oppreſſion: *Jer:* 5. 26, 27, 28. *For among my people are found wicked men: they lay wait as he that ſetteth ſnares, they ſet a trap, they catch men. As a cage is full of birds, ſo are their houſes full of deceit: therefore they are become great, and waxen rich. They are waxen fat, they ſhine, they overpaſſe the deeds of the wicked.* The ſnares that are ſet by Rulers to catch the people, are thoſe grievous Laws that are like ſnares, that the people by this means are brought into great bondages and ſlavery, under cruell maſters. As witneſſe when a man hath bought a piece of land before he can enjoy it, he muſt pay a Fine to the Lord of the Mannor; and if he come not in to take it up in the Court, he then forfeits his land.

What righteouſnes is in ſuch a law or cuſtome, I finde very little or none at all; but againſt righteouſnes, juſtnes and equitie, to practiſe ſuch arbitrary tyrannous cuſtomes, grievous for the people to bear.

Now

Now then it is not to be looked upon, whether it be not right to pay Fines or Harriots to the Lord of the Mannor, according to that Law or custome that is now in *England* for that purpose; but it ought to be known whether that Law that demandeth such unreasonable things, as Fines and Harriots to the Lord of the Mannor, be according to the rule of equitie. And then I suppose that if that be the *quere*, it will be answered, that such a Law is not according to the law of equity: for these Reasons.

First, that Law that tendeth onely to that end to inslave the people in bondage under heavie burthens, cannot be concluded to be according to the Law of equitie: for God saith that this pleaseth him. *Isa.* 58. 6. *To loose the bands of wickednesse, to undo the heavy burdens, to let the oppressed go free, and that ye break every yoke* So that in this, obedience is better then sacrifice. For what doth it avail the people to have Fasts set up, and Humiliations observed by the great ones of the land, and have not their burdens and yokes taken off from them?

Secondly, that Law that tendeth (to this end) to oppresse the widow and the fatherlesse, cannot be concluded to be according to the Law of equitie. God saith expresly in *Exod.* 22.22. *Ye shall not afflict any widow or fatherlesse childe.* And in *Zach.* 7. 10. God tels them that they should not oppresse the fatherles nor the widow. This was that which God alwayes exhorts the people unto by the mouthes of the Prophets: *Zach.* 7. 7. *Isa.* 58. 6. *Isa* 1. 17. Then if it be considered, that the widows are not to be oppress, the Law of taking of Harriots of widows must be concluded to be Arbitrary power over the poore people. Thus far to shew the arbitrarinesse of Fines, and Rents, and Harriots that are payed to the Lord of the Mannor.

I shall apply my self to give an Exhortation to the Commoners of *England*, that they may see the great works of God, that the Lord hath shewed from time to time unto this Nation since these troubles began, that they might have them in their remembrance.

The Exhortation.

GLorious and great things hath the Lord the great *Jehovah* shewed unto this Nation since these troubles began; and it well considered, they are the dealings of mercy toward us, even thoughts of love, and of peace and good will. If we consider the knowledge of our bondages that are now brought to light, that have of long time

inslaved

inſlaved this Nation for almoſt ſix hundred yeers, that were brought upon us by Conqueſt, and from the wills of tyrants over the people, as the Law in an unknown tongue, the ſtanding of the Societie of the Lawyers, the pleading of Cauſes in an unknown tongue in Weſtminſter-Hall, the foure Termes in the yeer, the feeing of Lawyers, the being kept ignorant from knowing the Law, and their birthrights, the bondage of Rents, and Fines, and Harriots to the Lord of the Mannor, the burden of Tythes: all theſe things have, and are looked into to be tyrannous to the Nation. And although the Land hath ſuffered much ſince theſe wars began, yet wars could not be avoided, but they muſt needs be. For as the bondages of this Nation came in by the Sword, even ſo by the Sword the liberties thereof muſt be gained: and that will appear, becauſe the Rulers of this land having brought the people into bondage, there was no way for their greatneſſe to fall, but by the Sword. This way in the eyes of God was good, and the Sword hath prevented thoſe actings of oppreſſion even in the ſame members themſelves; if we do but minde it, as laſt Summer, when they made an Ordinance for to perſecute men for conſcience, then preſently after was the riſing in *Kent*, and *Eſſex*; alſo when they would have brought home the King upon his termes, by a Treaty, they were diſappointed in that alſo. By theſe actings of God it is evident, that he will deſtroy thoſe things that are of the fleſh in Noblemen, to hinder them in the gentry, to hinder them in others, to hinder them that he onely may be exalted.

Oh therefore look upon the work of God, rather then to look upon men according to dignities; For as dignities are of the earth, ſo they muſt be brought lowe, even to the ground: So that men ſhall not be looked upon as in reference to dignities, but their actings ſhal be looked upon, whether they be good or evill, and ſo accordingly judged. Therefore now in this time of ſearching, let every one endevour to know thoſe things that are freedom and liberty, free from arbitrarineſſe and ungodlineſſe, that they may know that which is profitable to all the Commonaltie of the Kingdom, things good and wholſome to all the people of the Kingdom.

The end of my writing this Diſcourſe, is, firſt to give the Commoners of *England* knowledge, from whom the bondages that have inſlaved the Nation proceeded.

Secondly, that the Commoners of *England* may ſee how clear theſe bondages

bondages are againſt God, againſt his way, and againſt freedom and liberty.

Thirdly, that the Commoners of *England* ſeeing of the unjuſtneſſe of ſuch cuſtomes, may look for cuſtomes of liberty and freedome, which is the deſire of a Commoner of *England*.

For the further ſatisfaction of thoſe that ſhall read and meditate upon this foregoing diſcourſe, I ſhall quote ſome Scriptures that ſpeaks againſt the wayes of men, that make, follow, and uphold the cuſtomes before mentioned, that they are againſt the minde of God, as he hath declared in word; and alſo threatneth puniſhments unto thoſe that practiſe them.

The unknown tongue for a people to be governed under, is a curſe to the Nation, and not profitable.

Deut. 28. 49,50,51. *The Lord ſhall bring a nation againſt thee from far, a nation whoſe tongue thou ſhalt not underſtand.* Jer. 5. 15. *Lo, I will bring a nation upon you, it is a nation whoſe language thou knoweſt not, neither underſtandeſt what they ſay.* 1 Cor. 14. 4. *He that ſpeaketh in an unknown tongue, edifieth himſelf.* 6. *Now brethren, if I come unto you ſpeaking with tongues, what ſhall I profit you, except I ſhall ſpeak unto you either by revelation, or by knowledge, or by propheſying, or by doctrine.* 7. *And even things without life giving ſound, whether pipe or harp, except they give a diſtinction in the ſounds, how ſhall it be known what is piped or harped?* 8. *For if the trumpet give an uncertain ſound, who ſhall prepare himſelf to the battell? So likewiſe you, except ye utter by the tongue words eaſie to be underſtood, how ſhall it be known what is ſpoken? for ye ſpeak in the air.* 10. *There are, it may be, ſo many kinds of voices in the world, and none of them are without ſignification.* 11 *Therefore if I know not the meaning of the voice, I ſhall be unto him that ſpeaketh, a Barbarian, and he ſhall be a Barbarian to me.*

Againſt gifts or unreaſonable Fees, that Lawyers and others take of the Clyant, whereby many times there is neglect of Iuſtice.

Exod. 23. 8. *And thou ſhalt take no gift, for the gift blindeth the eyes and perverteth the words of righteouſnes.* Deut. 16. 19. Iſa. 1. 23. *Thy Princes are rebellious, and companions of theeves: every one loveth gifts, and followeth after rewards.* Micah 3. 11. *The heads thereof judge for reward, the prieſts thereof teach for hire, the prophets thereof divine for money.*

Againſt

Against oppression by the Lord of Mannors in taking of Fines.

They covet fields, and take them by force; and houses, and take them away: so they oppresse a man and his house, even a man and his family. Amos 4. 1. *Hear ye this word, ye kine of Bashan, that are in the mountain of Samaria, which oppresse the poore, which crush the needie* Amos 8.4. *Hear ye this, O ye that swallow up the needie, even to make the poore of the land to fail.*

Exhortations to amend.

Jer. 18. 11. *Return ye now every one from his evill, and make your wayes and your doings good.* Zach. 1. 4. *Turn ye from your evill wayes, and from your evill works.* Isa. 1. 17. *Learn to do well, relieve the oppressed, judge the fatherlesse, plead for the widow.*

Blessings promised upon amendment.

If ye oppresse not the stranger, the fatherlesse and the widow, and shed no innocent blood: if ye throughly amend your wayes, and your doings; if ye throughly execute judgement between a man and his neighbour, then will I cause you to dwell in the land that I gave to you. Jer. 7.5,6,7. *When I say unto the wicked, Thou shalt surely dye, if he turn from his sin, and do that which is lawfull and right; If the wicked restore the pledge, give again that he had robbed, walk in the statutes of life; he shall surely live, he shall not dye.* Ezek. 33. 14,15.

Punishments threatned to them that do unjustly after admonition.

Prov. 29. 1. *He that being often reproved, hardneth his neck, shall suddenly be destroyed, and that without remedie.* Prov. 1. 30, 31. *They hated knowledge, and did not choose the fear of the Lord, they would have none of my counsell: they despised all my reproof. Therefore shall they eat of the fruit of their own way, and be filled with their own devices.*

The reason why I quote these Scriptures is, that all oppressors of what sort soever may see, that God abhorreth all manner of arbitrary power and cruelty; And if we look into the Scriptures, we may see how the Lord from time to time hath brought judgements upon them. I conclude with that in *Micah* 6. 8. *He hath shewed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, to love mercy, and to walk humbly with thy God.*

FINIS.